

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 18 remain in this application. Claims 13 through 15 have been cancelled. No claims have been withdrawn. Claims 19 through 23 have been added.

Initially, it is noted that submitted with this Amendment are drawing sheets with amended Figures 2 and 3. The amendment to the drawing of Figure 2 consists of the replacement of the word "TAPE" in box 20 with the word "TAP", and the amendment to the drawing of Figure 3 also consists of the replacement of the word "TAPE" in box 20 with the word "TAP". It is submitted that these changes are supported in the specification with reference to element 20, which is referred therein as "VIDEO TAP ASSEMBLY 20". Approval of the requested Amendment is respectfully requested.

Claims 1 through 18 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over in view of Blair.

The claims of the patent application have been rejected based upon the Blair patent application publication, which relies upon a PCT (PCT/US04/20635) filing date of June 28, 2004, and an earlier provisional patent application (60/482,632) filing date of June 26, 2003. It is noted that the filing date of the present patent application was July 18, 2003, which is after the filing date of the '632 provisional patent application but is *before* the filing date of the PCT application which provided the disclosure for the published patent application that is referenced and relied upon in the rejections of the Office Action.

Submitted with this Amendment is a "DECLARATION UNDER 37 CFR 1.131" addressing the activities regarding the claimed invention prior to and

after the filing date of the '632 provisional patent application of Blair. It is submitted that the Declaration removes the Blair patent application publication as a proper reference against the present patent application.

Further, it is noted that the various points of the rejection make reference to the text and drawings of the Blair published patent application, which is apparently based upon a PCT national stage filing on June 28, 2004, which was after the filing date of the present patent application. Since it is the filing date of the '632 provisional patent application that is being relied upon for priority over the present patent application, it is submitted that reference to the text and drawings of the provisional patent application is more appropriate, and required since the disclosure of the '623 provisional patent application is clearly not commensurate with the disclosure of the Blair published patent application. The provisional patent application and the published patent application have significantly different disclosures, with the published patent application having a significant amount of added text and drawings as compared to the provisional patent application, and thus support for the rejections in the '623 provisional patent application is critical to maintaining the rejections. Therefore, if the rejection of the claims is maintained in a further Office Action, it is requested that the rejection refer to the text and drawings of the 60/482,632 provisional patent application for supporting the points of the rejection, and not the text and drawings of the published patent application, which appears to have a later filing date than the present patent application.

Withdrawal of the §103(a) rejection of claims 1 through 18 is therefore respectfully requested.

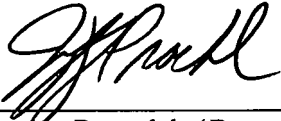
Appln. No. 10/622,938
Amendment dated October 16, 2007
Reply to Office Action mailed May 16, 2007

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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Date: Oct 16, 2007

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